

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "NOVEL CREBa ISOFORM," the specification of which (check one): ☐ is attached hereto; ☒ was filed on September 27, 1996 as Application Serial No. 08/721,684 and was amended on ____ (if applicable); ☐ was filed as PCT International Application No. ____ on ____ and was amended under Article 19 on ____ (if applicable). I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

☐ Yes ☐ No

(Application Serial Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(Application Serial Number) (Day/Month/Year Filed) (Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Alvin D. Shulman (19,412)
Donald J. Brott (19,490)
Owen J. Murray (22,111)
Allen H. Gerstein (22,218)
Nate F. Scarpelli (22,320)
Edward M. O'Toole (22,477)
Michael F. Borun (25,447)

Trevor B. Joike (25,542)
Timothy J. Vezeau (26,348)
Carl E. Moore, Jr. (26,487)
Richard H. Anderson (26,526)
Patrick D. Ertel (26,877)
James P. Zeller (28,491)
William E. McCracken (30,195)

Richard A. Schnurr (30,890)
Anthony Nimmo (30,920)
Christine A. Dudzik (31,245)
Kevin D. Hogg (31,839)
Jeffrey S. Sharp (31,879)
Donald J. Pochopien (32,167)
Martin J. Hirsch (32,237)

James J. Napoli (32,361)
Richard M. La Barge (32,254)
Jeffrey W. Smith (33,455)
Douglass C. Hochstetler (33,710)
Cynthia L. Schaller (34,245)
Robert M. Gerstein (34,824)
Greta E. Noland (35,302)
Joseph A. Williams, Jr. (38,659)

Send correspondence to: Greta E. Noland (35,302)

FIRM NAME	PHONE NO.	STREET	CITY & STATE	ZIP CODE
Marshall, O'Toole, Gerstein, Murray & Borun	312-474-6300	6300 Sears Tower 233 South Wacker Drive	Chicago, Illinois	60606-6402

Full Name of First or Sole Inventor Kathleen S. Keegan	Citizenship United States of America
Residence Address - Street 5812 West Mercer Way 98040	Post Office Address - Street 5812 West Mercer Way 98040
City (Zip) Mercer Island	City (Zip) Mercer Island
State or Country Washington	State or Country Washington
Date <input checked="" type="checkbox"/> 12-4-96	Signature <input checked="" type="checkbox"/> Kathleen S. Keegan

☐ See second page for additional inventor(s)

See attached for relevant rules & statutes

PATENT

Atty. Docket No: 27866/33487

Applicant or Patentee: Kathleen S. Keegan

Serial or Patent No: 08/721,684

Filed or Issued: September 27, 1996

For: Novel CREBa Isoform

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ The owner of the small business concern identified below:
- ☒ An official of the small business concern empowered to act on behalf
of the concern identified below:

NAME OF CONCERN ICOS Corporation

ADDRESS OF BUSINESS 22021 20th Avenue, S.E.
Bothell, Washington 98021

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention, entitled Novel CREBa Isoform, by inventor(s) Kathleen S. Keegan,

described in

- ☐ The specification filed herewith.
- ☒ Application Serial No. 08/721,684, filed September 27, 1996.
- ☐ Patent No. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: *Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).*

NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME: _____
ADDRESS: _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.